

H.A

Notice of Allowability	Application No.	Applicant(s)	
	10/626,760	JOSHI ET AL.	
	Examiner	Art Unit	
	Thinh T. Nguyen	2818	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3-14-2005.
2. ☒ The allowed claim(s) is/are 1-8 and 36-50.
3. ☒ The drawings filed on 21 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152). |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


David Nelms
 Supervisory Patent Examiner
 Technology Center 2800

DETAILED ACTION

Examiner's Amendment.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee:

Since the applicant withdraws claims 9-18 from consideration, claims 9-18 are cancelled.

Reason for allowance

2. Claims 1-8,36-50 are allowed. The following is an examiner's statement of reason for allowance:

A/ Applicant's filing of the Affidavit under rule 37 CFR 1.131 has overcome the rejection under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) of claims 1-8.

B/ I/ Group I. Claims 1-7:

Claims 1-7 are allowed because prior arts fail to teach the limitations:

-- " a channel core coupled to a substrate and defining a top surface spaced from

the substrate and opposed sidewall surfaces between the substrate and the top surface, wherein the channel core comprises a first semiconductor material defining a first lattice structure, a channel envelope in contact with the opposed sidewall surfaces and the top surface, wherein the channel envelope comprises a second semiconductor material defining a second lattice structure that differs from the first lattice structure “--

and all other limitations as recited in claim 1.

II/ Group II. Claims 8:

Claim 8 is allowed because prior arts fail to teach the limitations:

--“the channel core comprises a first semiconductor material and the channel envelope comprises a second semiconductor material, and at least one of the first and second semiconductor materials exhibits one of a stretched and a compressed lattice structure “--

and all other limitations as recited in claim 8.

III/ Group III. Claims 36-42:

Claim 36-42 are allowed because prior arts fail to teach the limitations:

--“ a gate coupled to the channel core through the gate oxide, said gate disposed at least partially within the substrate. “--

and all other limitations as recited in claim 36.

IV/ Group IV. Claims 43-50:

Claim 43-50 are allowed because prior arts fail to teach the limitations:

--“ first and second gates coupled to the channel core through the gate oxide, said first and second gates disposed on opposed sides of said channel core and not directly coupled to one another electrically . “--
and all other limitations as recited in claim 43.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance”.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thinh T Nguyen whose telephone number is 571-272-1790. The examiner can normally be reached on Monday-Friday 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, David Nelms can be reached at 571-272-1787. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9319 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Thinh T Nguyen



Art unit 2818



David Nelms
Supervisory Patent Examiner
Technology Center 2800